IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1349 of 2007()

CRIME NO.10/07 OF VIZHINJAM POLICE STATION

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: PETITIONERS/ACCUSED NOS.2 & 3

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1. RAJU (A2), S/O. KUNJUKRISHNA PANICKER, MAVARATHALA PUTHEN VEEDU, VENNIYOOR, NELLIVILA P.O., THIRUVANANTHAPURAM.

2. ASHOKAN (A3), S/O. KUNJUKRISHNA PANICKER, MAVARATHALA PUTHEN VEEDU, VENNIYOOR, NELLIVILA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.PRABHU VIJAYAKUMAR
SRI.LAKSHMI RENJITH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE S.I. OF POLICE, VIZHINJAM POLICE STATION, THIRUVANANTHAPURAM, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1349 OF 2007 C

Dated this the 7th day of March, 2007

O R D E R

Petitioners, who are accused Nos.2 and 3 in Crime No.10/07 of Vizhinjam Police Station for offences punishable under Sections 341, 323 and 308 read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 9.30 p.m. on 5.1.2007 the first accused along with the petitioners stabbed the de facto complainant consequent on his refusal to permit the first accused to draw an electric line through his property.

4. Eventhough anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for the purpose of interrogation. They shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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